



# Journal of the House

State of Indiana

113th General Assembly

First Regular Session

Forty-fifth Meeting Day

Monday Morning

April 14, 2003

The House convened at 10:30 a.m. with the Speaker in the Chair.

The invocation was offered by Clarence Syrette, Spiritual Leader of the Ojibway People, Niles, Michigan, the guest of Representative M. Ryan Dvorak.

The Pledge of Allegiance to the Flag was led by Representative Dvorak.

The Speaker ordered the roll of the House to be called:

T. Adams	Kromkowski
Aguilera	Kruse
Alderman	Kuzman
Austin	LaPlante
Avery	L. Lawson
Ayres	Lehe
Bardon	Leonard
Becker	Liggett
Behning	J. Lutz
Bischoff	Lytle
Borror	Mahern
Bosma	Mangus
Bottorff	Mays
C. Brown	McClain
T. Brown	Moses
Buck	Murphy
Budak	Neese
Buell	Noe
Burton	Orentlicher
Cheney	Oxley
Cherry	Pelath
Chowning	Pflum
Cochran	Pierce
Crawford	Pond
Crooks	Porter
Day	Reske
Denbo	Richardson
Dickinson	Ripley
Dobis	Robertson
Duncan	Ruppel
Dvorak	Saunders
Espich	Scholer
Foley	V. Smith
Frenz	Stevenson
Friend	Stilwell
Frizzell	Stine
Fry	Stutzman
GiaQuinta	Summers
Goodin	Thomas
Grubb	Thompson
Gutwein	Torr
Harris	Turner
Hasler	Ulmer
Heim	Weinzapfel
Herrell	Welch
Hinkle	Whetstone
Hoffman	Wolkins
Kersey	D. Young
Klinker	Yount
Koch	Mr. Speaker

Roll Call 531: 100 present; 0 excused. The Speaker announced a quorum in attendance. [NOTE: ... indicates those who were excused.]

The "Star Spangled Banner" was sung by Jessica Robertson, the daughter of Representative Paul Robertson.

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, April 15, 2003, at 1:30 p.m.

DAY

Motion prevailed.

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1465 and 1741 and the same are herewith returned to the House.

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1135, 1210, and 1218 with amendments and the same are herewith returned to the House for concurrence.

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1369, 1410, 1417, 1434, 1438, 1545, 1552, 1553, 1605, and 1707 with amendments and the same are herewith returned to the House for concurrence.

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1664:

Conferees: Weatherwax and Lewis  
Advisors: K. Adams and Skinner

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 166 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Kenley, Chair; and Hume  
Advisors: Skillman and Dembowski

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 207 and the President Pro Tempore has appointed the

following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Gard, Chair; and Hume

MARY C. MENDEL  
Principal Secretary of the Senate

#### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 454 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Kenley, Chair; and Rogers  
Advisors: Ford and Broden

MARY C. MENDEL  
Principal Secretary of the Senate

#### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 533 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Jackman, Chair; and Lewis

MARY C. MENDEL  
Principal Secretary of the Senate

#### MESSAGE FROM THE SENATE

Mr. Speaker: I hereby transmit Senate Enrolled Acts 28, 67, 75, 88, 121, 141, 188, 211, 219, 222, 225, 251, 259, 292, 314, 318, 332, 355, 367, 396, 401, 461, 505, 517, and 528 for signature of the Speaker of the House.

MARY C. MENDEL  
Principal Secretary of the Senate

#### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 58 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL  
Principal Secretary of the Senate

### RESOLUTIONS ON FIRST READING

#### House Resolution 58

Representative Klinker introduced House Resolution 58:

A HOUSE RESOLUTION recognizing Mary Jane Gregan.

*Whereas, Mary Jane Gregan is an elementary school music teacher at Burnett Creek Elementary School, West Lafayette, Indiana;*

*Whereas, Mary Jane directs the Burnett Creek Elementary School honors choir;*

*Whereas, Mary Jane Gregan composed the music and lyrics of a song entitled "Towers of Tomorrow", lamenting the loss of life at the World Trade Center on September 11, 2001;*

*Whereas, In "Towers of Tomorrow", Mary Jane Gregan expresses her great sorrow over the tragedy that occurred on September 11, 2001, at New York City's World Trade Center, but she also points to America's children as our hope for a brighter future, our "towers of tomorrow";*

*Whereas, Mary Jane Gregan and teachers like her throughout Indiana provide the inspiration and guidance that children need to overcome tragedy and find hope in the future; and*

*Whereas, "Music is the song of the soul", and with Mary Jane Gregan as the teacher, the song will continue: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives expresses its gratitude to Mary Jane Gregan for her hours of dedicated service to the children of Burnett Creek Elementary School and the children of West Lafayette, Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Mary Jane Gregan and her family and Mark B. Pearl, principal of Burnett Creek Elementary School.

The resolution was read a first time and adopted by voice vote.

Mary Jane Gregan sang "Towers of Tomorrow" and "United We Stand".

#### House Resolution 59

Representatives Weinzapfel, Mahern, and McClain introduced House Resolution 59:

A HOUSE RESOLUTION urging the establishment of an interim study committee to study the long term cost effectiveness and in-field performance of storm sewer drainage products used in the construction of publicly funded roads and other infrastructure throughout Indiana.

*Whereas, The Indiana Department of Transportation's mission is "to provide our customers the best transportation system that enhances mobility, stimulates economic growth, and integrates safety, efficiency, and environmental sensitivity";*

*Whereas, Ensuring the most economic and efficient use of public funds is of the utmost importance to Indiana;*

*Whereas, Indiana funds contracts through the Indiana Department of Transportation for drainage products used in the construction of culverts and storm sewers that require a minimum service life of 75 years;*

*Whereas, The Indiana Department of Transportation does not require life cycle performance measurements of the products used in infrastructure construction to ensure that all products used meet or exceed the established life cycle standard of 75 years;*

*Whereas, The established 75 year life cycle standard should be reviewed and evaluated, and the actual performance of installed products should be determined to ensure the most cost efficient use of Indiana's infrastructure investment, recognizing that the lowest initial cost may not be the best use of the limited funds available for infrastructure investment;*

*Whereas, The use and installation of suitable, high quality materials for the maintenance and safety of roadways is of the utmost importance to Indiana and its tax-paying citizens;*

*Whereas, Proper installation methods for drainage products should be reviewed and studied to evaluate whether the products as installed will perform to the manufacturer's specifications; and*

*Whereas, Developing protocols to study the relative in-field performance and associated long term life cycle costs of materials used in roadway construction projects merits study by an interim study committee: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the legislative council is urged to establish a committee to study the impact of using different types of drainage products throughout the state for the construction of public roads and infrastructures and the cost of repairs, replacements, and remediation of storm culverts used during the original construction of Interstate 64 in Indiana and other routes throughout the state in need of attention.

SECTION 2. That the committee, if established, shall operate under the direction of the legislative council and that the committee shall issue a final report when directed to do so by the council.

The resolution was read a first time and adopted by voice vote.

#### Senate Concurrent Resolution 58

The Speaker handed down Senate Concurrent Resolution 58, sponsored by Representatives Frenz and Crooks:

A CONCURRENT RESOLUTION wishing Minnie Kearby a Happy 110th Birthday.

*Whereas, Minnie Armstrong was born April 14, 1893, to Warren and Carrie Armstrong on their farm in Ireland, Indiana;*

*Whereas, Minnie Armstrong married Edgar Kearby on October 15, 1915 and out of this holy matrimony a son, Harley, was born;*

*Whereas, Mrs. Minnie Kearby, along with her husband, operated a farm and feed store;*

*Whereas, Mrs. Kearby has lived through two World Wars, the Great Depression, Prohibition, twenty-six Indiana Governors, men walking on the moon, and a boom in technology;*

*Whereas, Mrs. Kearby lived alone until she reached the age of 105 and to this day remains alert and is able to move around unassisted;*

*Whereas, Mrs. Kearby attributes her long life and good health to her "strength in the Lord" and "good clean living"; and*

*Whereas, While Mrs. Kearby's son and husband preceded her in death, she has grandchildren, great-grandchildren, and great-great-grandchildren that remain attentive: Therefore,*

*Be it resolved by the Senate  
of the General Assembly of the State of Indiana,  
the House of Representatives concurring:*

SECTION 1. That the General Assembly wishes Mrs. Minnie Kearby Happy 110th Birthday.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Minnie Kearby.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

## ENGROSSED SENATE BILLS ON THIRD READING

### Engrossed Senate Joint Resolution 5

Representative Frenz called down Engrossed Senate Bill 5 for third reading:

A JOINT RESOLUTION proposing an amendment to Article 10, Section 1 of the Constitution of the State of Indiana concerning taxation.

The joint resolution was read a third time by sections and placed upon its passage. The question was, Shall the joint resolution pass?

Roll Call 532: yeas 97, nays 1. The joint resolution was declared passed. The question was, Shall the title of the joint resolution remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the joint resolution.

### Engrossed Senate Bill 520

Representative Moses called down Engrossed Senate Bill 520 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 533: yeas 100, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

The Speaker yielded the gavel to the Speaker Pro Tempore Emeritus, Representative Robertson.

[Journal Clerk's Note: Representative Robertson is the great-great-grandson of Dennis Pennington, who was Speaker of the House of the legislature of the Indiana Territory.]

### Engrossed Senate Bill 508

Representative Bischoff called down Engrossed Senate Bill 508 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 534: yeas 97, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

### Engrossed Senate Bill 506

Representative L. Lawson called down Engrossed Senate Bill 506 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 535: yeas 98, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

### Engrossed Senate Bill 503

Representative Hasler called down Engrossed Senate Bill 503 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 536: yeas 96, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

### Engrossed Senate Bill 501

Representative Porter called down Engrossed Senate Bill 501 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 537: yeas 79, nays 20. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

### Engrossed Senate Bill 490

Representative Lytle called down Engrossed Senate Bill 490 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 538: yeas 82, nays 17. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

### Engrossed Senate Bill 486

Representative Liggett called down Engrossed Senate Bill 486 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

The bill was read a third time by sections and placed upon its

passage. The question was, Shall the bill pass?

Roll Call 539: yeas 60, nays 38. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 462**

Representative Fry called down Engrossed Senate Bill 462 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? Representative Murphy was excused from voting.

Roll Call 540: yeas 96, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 440**

Representative Bottorff called down Engrossed Senate Bill 440 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural resources and environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 541: yeas 76, nays 21. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

The Speaker Pro Tempore Emeritus yielded the gavel to the Speaker.

### **CONFEREES AND ADVISORS APPOINTED**

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

- EHB 1221 Conferees: Bottorff and Wolkins  
Advisors: Kuzman and Heim
- EHB 1437 Conferees: Welch and Frizzell  
Advisors: Orentlicher and Becker
- EHB 1515 Conferees: Welch and Behning  
Advisors: Stevenson and Frizzell
- EHB 1525 Conferees: Kuzman and Duncan  
Advisors: Dickinson and Ayres
- EHB 1657 Conferees: Bottorff and Wolkins  
Advisors: Herrell, Kuzman, and Stutzman
- EHB 1714 Conferees: Klinker and Scholer  
Advisors: Frenz and Saunders
- EHB 1731 Conferees: Aguilera and Duncan  
Advisors: Kuzman and Ayres
- EHB 1798 Conferees: Bottorff and Scholer  
Advisors: GiaQuinta and Saunders

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

- EHB 1001 Advisor: Klinker
- EHB 1331 Advisor: Herrell
- EHB 1664 Advisors: Bischoff and Oxley
- ESB 465 Advisor: Harris

The House recessed until the fall of the gavel.

### **RECESS**

The House reconvened at 2:10 p.m. with the Speaker in the Chair.

Representative Whetstone was excused.

### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 460 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Miller, Chair; and Simpson

MARY C. MENDEL  
Principal Secretary of the Senate

### **ENGROSSED SENATE BILLS ON THIRD READING**

#### **Engrossed Senate Bill 26**

Representative Fry called down Engrossed Senate Bill 26 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 542: yeas 91, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 35**

Representative Avery called down Engrossed Senate Bill 35 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 543: yeas 67, nays 31. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Whetstone, who had been excused, was present.

#### **Engrossed Senate Bill 62**

Representative Crawford called down Engrossed Senate Bill 62 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 544: yeas 96, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 109**

Representative Aguilera called down Engrossed Senate Bill 109 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 545: yeas 97, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act?

There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 144**

Representative L. Lawson called down Engrossed Senate Bill 144 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 546: yeas 98, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 160**

Representative Wolkins called down Engrossed Senate Bill 160 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 547: yeas 99, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 267**

Representative Oxley called down Engrossed Senate Bill 267 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 548: yeas 91, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 176**

Representative Kuzman called down Engrossed Senate Bill 176 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 549: yeas 67, nays 31. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 178**

Representative Ripley called down Engrossed Senate Bill 178 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 550: yeas 99, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 187**

Representative Porter called down Engrossed Senate Bill 187 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 551: yeas 59, nays 41. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Dobis.

**Engrossed Senate Bill 201**

Representative Hinkle called down Engrossed Senate Bill 201 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 552: yeas 98, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 208**

Representative Mangus called down Engrossed Senate Bill 208 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. After discussion, Representative Mangus withdrew the call of Engrossed Senate Bill 208.

**Engrossed Senate Bill 210**

Representative Summers called down Engrossed Senate Bill 210 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? Representative Alderman was excused from voting.

Roll Call 553: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 216**

Representative Reske called down Engrossed Senate Bill 216 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 554: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 230**

Representative Porter called down Engrossed Senate Bill 230 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 555: yeas 99, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act?

There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 232**

Representative Crawford called down Engrossed Senate Bill 232 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 556: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 268**

Representative Mahern called down Engrossed Senate Bill 268 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 557: yeas 99, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 280**

Representative Mahern called down Engrossed Senate Bill 280 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 558: yeas 79, nays 18. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 286**

Representative Dvorak called down Engrossed Senate Bill 286 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 559: yeas 96, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative GiaQuinta was excused.

**Engrossed Senate Bill 289**

Representative Cherry called down Engrossed Senate Bill 289 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 560: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

The Speaker Pro Tempore yielded the gavel to the Speaker.

Representative GiaQuinta, who had been excused, was present.

**Engrossed Senate Bill 311**

Representative L. Lawson called down Engrossed Senate Bill 311 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 561: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 172**

Representative Oxley called down Engrossed Senate Bill 172 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 562: yeas 97, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative D. Young was excused for the rest of the day.

**Engrossed Senate Bill 337**

Representative Crawford called down Engrossed Senate Bill 337 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 563: yeas 90, nays 7. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

The Speaker yielded the gavel to the Deputy Speaker Pro Tempore, Representative Harris.

**Engrossed Senate Bill 341**

Representative Fry called down Engrossed Senate Bill 341 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? Representative Murphy was excused from voting.

Roll Call 564: yeas 58, nays 39. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 343**

Representative C. Brown called down Engrossed Senate Bill 343 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 565: yeas 94, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Kuzman called down Engrossed Senate Bill 438 for third reading:

Roll Call 571: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

EHB 1458 Conferees: C. Brown and Becker  
Advisors: Austin and T. Brown

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

ESB 202 Conferees: Kuzman and Foley  
Advisors: Pierce and Burton

### ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1018, 1026, 1085, 1104, 1106, 1120, 1137, 1216, 1222, 1271, 1335, 1425, 1465, 1482, 1511, 1596, 1647, 1700, 1741, and 1808; House Enrolled Joint Resolution 8; and Senate Enrolled Acts 28, 67, 75, 88, 121, 141, 188, 211, 219, 222, 225, 251, 259, 292, 314, 318, 332, 355, 367, 396, 401, 461, 505, 517, and 528 on April 14.

### OTHER BUSINESS ON THE SPEAKER'S TABLE

#### MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House: On April 14, 2003, I signed into law House Enrolled Acts 1059, 1077, 1088, 1141, 1176, 1209, 1282, 1286, 1380, 1395, 1408, 1632, 1708, 1724, 1729, and 1897.

FRANK O'BANNON  
Governor

#### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1221:

Conferees: Gard and Lewis

MARY C. MENDEL  
Principal Secretary of the Senate

#### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1437:

Conferees: Riegsecker and Breau

MARY C. MENDEL  
Principal Secretary of the Senate

#### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1515:

Conferees: Weatherwax and Lanane

MARY C. MENDEL  
Principal Secretary of the Senate

#### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1525:

Conferees: Landske and Antich

MARY C. MENDEL  
Principal Secretary of the Senate

#### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1657:

Conferees: Gard and Hume

MARY C. MENDEL  
Principal Secretary of the Senate

#### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1714:

Conferees: Kenley and Hume  
Advisors: Gard and Craycraft

MARY C. MENDEL  
Principal Secretary of the Senate

#### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1731:

Conferees: C. Meeks and S. Smith

MARY C. MENDEL  
Principal Secretary of the Senate

#### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1798:

Conferees: Gard and Lewis

MARY C. MENDEL  
Principal Secretary of the Senate

#### PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed Senate Bill 26, Roll Call 542, on April 14, 2003. In support of this petition, I submit the following reason:

"I was present, but unable to vote before the machine had closed. I intended to vote yea."

KLINKER

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: the final vote tally for Engrossed Senate Bill 26 is 91 yeas, 0 nays.*]

#### PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed Senate Bill 375, Roll Call 566, on April 14, 2003. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the nay button when I intended to vote yea."

GOODIN

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: the final vote tally for Engrossed Senate Bill 375 is 86 yeas, 12 nays.*]

#### PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on Representative Wolkins's second reading amendment to Engrossed Senate Bill 440(440-2), Roll Call 517, on April 9, 2003. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the yea button when I intended to vote nay."

AYRES

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: the final vote tally for the amendment is 67 yeas, 24 nays.*]



HOUSE MOTION

Mr. Speaker: I move that Representative Dvorak be added as cosponsor of Engrossed Senate Bill 160.

WOLKINS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative T. Adams be removed as cosponsor of Engrossed Senate Bill 232 and that Representative Dvorak be substituted as cosponsor.

CRAWFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hasler be added as cosponsor of Engrossed Senate Bill 490.

LYTLE

Motion prevailed.

On the motion of Representative Burton, the House adjourned at 4:55 p.m., this fourteenth day of April, 2003, until Tuesday, April 15, 2003, at 1:30 p.m.

B. PATRICK BAUER

Speaker of the House of Representatives

DIANE MASARIU CARTER

Principal Clerk of the House of Representatives